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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/134,854 08/14/98 MILLER

D 97482

QM12/1126

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EXAMINER

DEXTER, C

ART UNIT

PAPER NUMBER

3724

DATE MAILED:

11/26/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/134,854

Applicant(s)
Miller et al.

Examiner
Clark F. Dexter

Group Art Unit
3724



☒ Responsive to communication(s) filed on Sep 7, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-7, 13-23, 40, 47-55, 61, and 65-78 is/are pending in the application.

Of the above, claim(s) 74-78 is/are withdrawn from consideration.

~~☒~~ Claim(s) ~~5-7, 20-23, 52-55, and 70-73~~ is/are allowed.

☒ Claim(s) 1-4, 13-19, 40, 47-51, 61, and 65-69 is/are rejected.

☒ Claim(s) 5-7, 20-23, 52-55, and 70-73 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Sep 7, 1999 is ☐ approved ☒ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

1. The amendment filed September 7, 1999 has been entered.

Drawings

2. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on September 7, 1999 have been **approved-in-part**.

The proposed drawing changes to Figures 2, 13, 15 and 16 have been approved.

The proposed drawing change to Figure 1 has been disapproved because the wrong occurrence of "62" was changed to --65--. Only a correction for Figure 1 is required to be submitted (note that the change of adding numeral 40 to this figure should also be included).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 13 and 14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dunaway, Jr. et al.

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 15-19, 40, 47-51, 61 and 65-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunaway, Jr. et al. in view of Hughes et al.

Regarding claims 15 and 47, Dunaway, Jr. et al. lacks a second guide rail. Hughes et al. discloses that it is old and well known to provide two guide rails for various well known benefits including added guide stability. Therefore, it would have been obvious to one having ordinary skill in the art to provide a second guide rail on the device of Dunaway, Jr. et al. for the well known benefits including that described above.

Regarding claim 40, Dunaway, Jr. et al. lacks a debris collection system. However, the Examiner takes Official notice that it is old and well known in the art to provide a debris collection system on a table saw for various well known benefits including removing debris such as saw dust from the work environment. Therefore, it would have been obvious to one having ordinary skill in the art to provide a debris collection system on the device of Dunaway, Jr. et al. for the well known benefits including that described above.

Regarding claim 61, Dunaway, Jr. et al. lacks the specific shape or cross section of the guide rails. However, the Examiner takes Official notice that it is old and well known in the art to

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provide guide rails in many various shapes or cross sections for various well known benefits including ease of manufacture or to gain performance benefits such as added stability. Therefore, it would have been obvious to one having ordinary skill in the art to provide guide rails of any known shape or cross section including those set forth in claim 61 for the well known benefits including those described above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.

Communications via Internet e-mail regarding this application, other than those under 35 USC 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [rinaldi.rada@uspto.gov].

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All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 USC 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark Office on February 25, 1997 at 1195 OG 89.

A handwritten signature in black ink, appearing to read 'Clark F. Dexter', is positioned above the printed name and title.

Clark F. Dexter
Primary Examiner
Art Unit 3724

cf
November 22, 1999